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HEAR - 5 1994

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

IN THE MATTER OF:

PR DOCKET NO. 93-231

CHARLESTON, WEST VIRGINIA

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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In the matter of: )  
 )  
 )

CAPITOL RADIOTELEPHONE COMPANY, INC. )  
(a/k/a CAPITOL RADIOTELEPHONE, INC. )  
OR CAPITOL RADIO TELEPHONE, INC. )  
d/b/a CAPITOL PAGING AND )  
RAM TECHNOLOGIES, INC. )

PR DOCKET NO. 93-231

Charleston, West Virginia )  
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The above-entitled matter came on for hearing pursuant to  
Notice before Judge Joseph Chachkin, Administrative Law Judge,  
at 2000 L Street, N.W., Washington, D.C., in Courtroom 3, on  
Thursday, February 3, 1994, at 9:30 a.m.

## APPEARANCES:

On behalf of Capitol Radiotelephone:

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On behalf of RAM Technologies:

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On behalf of FCC Private Radio Bureau:

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## I N D E X

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Luke Blatt				
By Mr. Hardman		410		455,464
By Ms. Laden			447,462	
Raymond Bobbitt				
By Ms. Laden	465			
By Mr. Joyce		477		
By Mr. Hardman		515		

E X H I B I T S

<u>Exhibits</u>	<u>Identified</u>	<u>Received</u>	<u>Rejected</u>
PRB Ex. 16	446	449	
PRB Ex. 17	446	449	
Hearing began: 9:30 a.m.		Hearing Ended: 4:00 p.m.	
Lunch Break Began: 12:39 p.m.		Lunch Break Ended: 1:45 p.m.	

## P R O C E E D I N G S

1  
2 MR. HARDMAN: Your Honor, before we continue --

3 JUDGE CHACHKIN: Yes?

4 MR. HARDMAN: -- I have a couple preliminary  
5 matters.

6 JUDGE CHACHKIN: Pardon me?

7 MR. HARDMAN: Before we continue, I have a couple of  
8 preliminary matters I'd like to raise.

9 JUDGE CHACHKIN: All right. Off the record or on  
10 the record?

11 MR. HARDMAN: It can be either.

12 JUDGE CHACHKIN: Let's, let's go on the record. Go  
13 ahead, Mr. Harden, with your preliminary matters.

14 MR. HARDMAN: First of all, Your Honor, I had  
15 entertained the fantasy in a way that we would finish the  
16 hearing this week which I, I think now is, is impossible under  
17 any circumstances. But we have a schedule conflict with  
18 Mr. Peters next week -- the beginning of next week and I was  
19 wondering if, if it does go over to beyond this week whether  
20 we could continue the hearing either the following week or at  
21 another time without a schedule conflict so that, that  
22 Mr. Peters' schedule can be accommodated.

23 JUDGE CHACHKIN: Well, when is Mr. Peters --

24 MR. HARDMAN: He's, he's going to have to be the,  
25 the last witness because he has to hear the -- for purposes of

1 his opinion testimony.

2 JUDGE CHACHKIN: You mean he's not here today you're  
3 telling me?

4 MR. HARDMAN: No, he is here today but he has to be  
5 -- he has to go on after our fact witnesses so that all the --

6 JUDGE CHACHKIN: Well, when is he unavailable?

7 MR. HARDMAN: Starting the beginning of the week --  
8 next week.

9 JUDGE CHACHKIN: Till when?

10 MR. HARDMAN: Well, he would be available the  
11 following week.

12 JUDGE CHACHKIN: Yes. Well, we'll go on the  
13 following week. What is the problem then?

14 MR. HARDMAN: I'm sorry. I didn't understand.

15 JUDGE CHACHKIN: If we don't finish on Friday, we'll  
16 continue on Monday. What is the problem?

17 MR. HARDMAN: You mean this coming Monday?

18 JUDGE CHACHKIN: Yes.

19 MR. HARDMAN: That's when his schedule -- that's  
20 when --

21 JUDGE CHACHKIN: Oh, you mean he won't be available  
22 next week?

23 MR. HARDMAN: Right.

24 JUDGE CHACHKIN: For the entire week?

25 MR. HARDMAN: I believe that -- I believe his, his

1 conflict is for the entire week.

2 JUDGE CHACHKIN: Well, I'll have to hear the views  
3 of the other parties about this.

4 MS. LADEN: Your Honor, we haven't really had a  
5 chance to think about it. We just heard about it this  
6 morning. We have engineers here who are from, on loan from  
7 FOB --

8 JUDGE CHACHKIN: And they'd want to be here also, I  
9 assume.

10 MS. LADEN: -- they would want to be here. I think  
11 it would be a problem -- and, and I as you know am on loan  
12 from the Mass Media Bureau. I think it would be a problem.  
13 In effect for us it would delay things for an extra week.  
14 I -- we will be finished with our case this week. It seems to  
15 me that if Mr. Peters has to listen to the testimony he could  
16 testify first this week. The testimony that will follow is  
17 Capitol's witnesses, which presumably he wouldn't have to  
18 listen to their testimony.

19 JUDGE CHACHKIN: Well, presumably we'll finish the  
20 Bureau's case this week.

21 MR. HARDMAN: Yes, Your Honor, that's right.

22 JUDGE CHACHKIN: Now, as far as Mr. Peters is  
23 concerned, well, the Bureau has suggested Mr. Peters can go on  
24 first after Capitol's -- or after the Bureau's witnesses are  
25 concluded or he could be your last witness. Let me, let me

1 put it this -- I'd be willing to consider a delay in  
2 Mr. Peters' testimony if necessary, I'm not prepared to delay  
3 the entire proceeding so that Mr. Peters can be present. Now,  
4 you'll have to make some other arrangements either to get  
5 daily transcript or whatever you want in order to get the  
6 transcripts, but I'm not going to hold up the hearing for that  
7 purpose.

8 MR. HARDMAN: Let me understand. If we, if we get  
9 to the point say on Monday, hypothetically, that it would be,  
10 you know, Mr. Peters' turn to testify --

11 JUDGE CHACHKIN: He'll be the last witness in other  
12 words.

13 MR. HARDMAN: -- the last of our regular witnesses,  
14 yes.

15 JUDGE CHACHKIN: Then I might -- well, if we get to  
16 the point -- well, you have witnesses too don't you?

17 MR. HARDMAN: Yes. I have -- the witnesses outlined  
18 in the -- three of which I consider two hopefully as being not  
19 very long, Mr. Raymond I expect to be on the stand for a  
20 while. So, in, in the ordinary course I would expect to reach  
21 Mr. Peters, if we, you know, continue straight through at  
22 least early in the week. So, in terms of the delay, I'm not  
23 sure that it -- that we're talking any real difference whether  
24 --

25 JUDGE CHACHKIN: Well, as I say, I would be prepared

1 at least to consider the possibility of Mr. -- of delaying Mr.  
2 Peters' testimony, but I'm not prepared to delay the testimony  
3 of any of the other witnesses so that Mr. Peters could be here  
4 to listen to their testimony.

5 MR. JOYCE: Your Honor, if, if I may, this also  
6 catches me by surprise and I'm certainly always sensitive to,  
7 to people's schedules, but RAM's people were here, have been  
8 sitting through the hearing and we're planning on testifying  
9 on rebuttal as well. So even that arrangement --

10 JUDGE CHACHKIN: Well --

11 MR. JOYCE: -- putting Mr. Peters' testimony off for  
12 another week and then having to, to call our rebuttal  
13 witnesses back following that would cause nightmarish  
14 scheduling problems. We were expecting this to continue  
15 through Monday and had made plans accordingly. You know, this  
16 is the first that anybody has told me that they weren't  
17 planning on finishing the hearings.

18 JUDGE CHACHKIN: Is Mr. Peters not going to be  
19 available the entire week you're saying? Well, he's not here.  
20 Let's continue with the hearing and we'll take this up some  
21 other time.

22 MR. HARDMAN: I have one other preliminary matter.

23 JUDGE CHACHKIN: All right. Go ahead.

24 MR. HARDMAN: Yesterday when Mr. Capehart admitted  
25 on the -- while testifying that RAM principals knowingly or at



1 | least with the understanding that it was in violation of FCC  
2 | rules nevertheless put on a time-out device on their private  
3 | carrier paging system. And as I understand the rules, there  
4 | -- there's a 15-day period in which the government could seek  
5 | enlargement of the issues to designate a character issue  
6 | against RAM or amend its pending motion to do so. And I was  
7 | inquiring whether the government is planning to do that which  
8 | if so would certainly impact the, the nature of the -- or the  
9 | -- you know, exactly what hearings would be required in the  
10 | case.

11 | JUDGE CHACHKIN: Well, it's up to the government to  
12 | do what they want.

13 | MR. JOYCE: Your Honor, if I might, might address  
14 | that. I mean, the, the only thing that was elicited was  
15 | Mr. Capehart's opinion about a, a violation. I am unfamiliar  
16 | with any violation of, of the rules. I don't think that  
17 | anything has been established to that point other than the  
18 | fact that he elicited a non-attorney's opinion as to whether  
19 | or not that as in compliance with the rules or not.

20 | JUDGE CHACHKIN: All, all I'm going to say is it's  
21 | not the government -- anyone -- any part of this proceeding if  
22 | they feel it's warranted can file a petition to enlarge issues  
23 | and if one does so the other parties will file responses and  
24 | I'll make my ruling in due course, and that's where we stand  
25 | right now.

1 MR. JOYCE: Thank you, Your Honor.

2 MR. HARDMAN: Shall I continue now?

3 JUDGE CHACHKIN: Yes.

4 MR. HARDMAN: Thank you.

5 CROSS-EXAMINATION

6 BY MR. HARDMAN:

7 Q Mr. Blatt, yesterday when we recessed we were  
8 talking about the, the monitoring that you did of Channels  
9 152.51 and 152.48 -- supplied by RAM Technologies. Do you  
10 recall that?

11 A Yes.

12 Q Okay. That's, that's the context where we are. As  
13 I understand your testimony, the first time you did the, the  
14 monitoring of those two frequencies was in late-August of  
15 1992. Is that right?

16 A Yes.

17 Q And you then did subsequent monitoring using  
18 substantially identical procedures at various times in, in --  
19 during the fall. Is that right?

20 A Yes.

21 Q Was the results of your monitoring -- were the  
22 results of your monitoring in -- the first time you did it in  
23 August typical so far as you know of the results of the  
24 monitoring that were conducted -- monitoring that was  
25 conducted later on in the fall?

1 A Yes.

2 Q So, that in your mind anyway established a  
3 representative pattern of what was happening?

4 A Yes.

5 Q You don't recall any significant deviations in, in  
6 the events from one monitoring to another?

7 A No.

8 Q Now, I'm having some trouble understanding the  
9 nature of the transmission that was occurring during the  
10 monitoring on 152.48. As I understand it, a page which would  
11 be what, a digital page or an alpha page that first you, you  
12 monitored on 152.51 at some subsequent time would then be  
13 monitored on 252.48?

14 A Yes.

15 Q Is that right?

16 A Yes.

17 Q Now, 152.51 is a relatively busy channel, is it not?

18 A Yes, it is.

19 Q So, while you were monitoring 152.51 which is  
20 Capitol's RCC frequency in that area, is it not?

21 A Yes, it is.

22 Q There would a consecutive series of pages that you  
23 would monitor on 152.51. Isn't that right?

24 A Yes.

25 Q And it would -- was that same sequence -- unbroken

1 sequence then repeated on 152.48?

2 A No, it wasn't.

3 Q It was not an unbroken sequence?

4 A It, it was an unbroken sequence. I'm sorry. Would  
5 you repeat the question?

6 Q All right. When you monitored 152.51 for a period  
7 of time, you, you observed a sequence of pages on 152.51 in,  
8 in a particular sequence?

9 A Yes.

10 Q Right? Now, when you then subsequently monitored  
11 25148, and I, I think you indicated that the retransmission  
12 occurred or the duplicate transmission occurred a minute or so  
13 later on 152.48. Is that right?

14 A Yes.

15 Q Okay. Was exactly the same sequence in full  
16 repeated from 152.51 to 152.48?

17 A The exact same sequence occurred but not every page  
18 that went off on 152.510 went off on 152.480.

19 Q Let me see if I understand that. Are you saying  
20 that out of all the pages that you monitored during this  
21 period of time on 152.51 that only certain selective pages  
22 were then monitored on 152.48?

23 A Yes.

24 Q Is that right?

25 A Yes.

1           Q     But when you monitored them on 152.48 you, you did  
2 not -- they were, they were in the same sequence as they had  
3 occurred on 152.51?

4           A     Yes.

5           Q     Did you observe in terms of the time delay between  
6 transmissions first on 152.51 to 152.48, was there the same  
7 time delay involved?

8           A     No, not between every page. It was -- it, it  
9 varied. I mean --

10          Q     It varied?

11          A     Yes.

12          Q     Can you give us some idea of what kind of a range  
13 we're talking about?

14          A     Probably 30 seconds to maybe four or five minutes.

15          Q     So, you would monitor 152.51 which would have  
16 multiples pages then one of those pages out of multiple would  
17 then somewhere between 30 seconds and four minutes later would  
18 appear on 152.48? Is that --

19          A     Yes.

20          Q     -- is that what you're --

21          A     Yes.

22          Q     -- saying? That was -- and other than the fact that  
23 when pages were repeated on -- or also duplicate pages also  
24 appeared on 152.48, did you observe any other pattern  
25 regarding the, the duplicate transmissions?

1           A     No. Only that every page that was on the 152.480  
2 had previously gone out on 152.510.

3           Q     So, is it your testimony then that the -- all of the  
4 transmissions on 152.48 that you monitored were duplicates  
5 from 152.51?

6           A     Yes.

7           Q     And it followed the pattern that you have testified  
8 to this morning?

9           A     Yes.

10          Q     And you couldn't be wrong about this?

11          A     No. I performed the test several times.

12               MR. HARDMAN: Well, at this time, Your Honor, I  
13 would ask that the, that the Hark verifier tapes that were  
14 discussed yesterday, I would ask that they be marked for  
15 identification as I guess --

16               JUDGE CHACHKIN: Who, who has the exhibits?  
17 Mr. Joyce, you have copies of all these exhibits?

18               MR. JOYCE: I don't believe I brought them because  
19 I, I thought we had ruled yesterday that they wouldn't --

20               MS. LADEN: Your Honor, I haven't seen them at all.  
21 I mean, we haven't had a chance to look at them at all.

22               JUDGE CHACHKIN: I will permit you to use it for  
23 purposes of impeachment. I indicated I would.

24               MR. HARDMAN: Right.

25               JUDGE CHACHKIN: I assume that's what you want to

1 use it for.

2 MR. HARDMAN: Absolutely.

3 JUDGE CHACHKIN: Well, perhaps it doesn't have to be  
4 marked. Just show it to the witness.

5 MR. HARDMAN: Okay.

6 MR. JOYCE: Ken, if you could just show it to FCC  
7 counsel before you do so that they know what you're talking  
8 about. I'm familiar with the document so I don't need to see  
9 them, Your Honor. Thank you.

10 MR. HARDMAN: May I approach the witness?

11 JUDGE CHACHKIN: Yes.

12 BY MR. HARDMAN:

13 Q I don't have copies of this so -- but what I'm going  
14 to need to do, Mr. Blatt, is have you look at documents which  
15 purport to be the output -- printer output from monitoring for  
16 10/28/92 and my understanding is that the small document is  
17 the output from 152.48 and the large document is from 152.510.

18 A Okay.

19 Q I'd ask you to look at those documents and ask you  
20 if that's your understanding of what they are.

21 A (No audible response.)

22 Q Your answer was yes?

23 JUDGE CHACHKIN: Your answer was yes?

24 MR. BLATT: Yes.

25 BY MR. HARDMAN:

1           Q     Now, on the first page there are -- the first page  
2 of the, of the document that's marked for 152.48 MHz, there  
3 are numbers handwritten on the left side of various entries.  
4 Did you make those entries, did you make those handwritten  
5 notations?

6           A     I did on, on the 152.510 side.

7           Q     On the 510 side but --

8           A     Yes.

9           Q     -- not on the --

10          A     No, I did not put them on this side, no.

11          Q     Do you know who made the notations on the 148 side?

12          A     Yes.

13          Q     Who, who was that?

14          A     Ray Bobbitt.

15          Q     Ray -- okay. Now, I'd ask you to turn to the second  
16 page of the 152.48 and look at the first entry after the, the  
17 number, the number 8.

18          A     Okay.

19          Q     And could you tell us what cap code that says?

20          A     0?45147.

21          Q     Okay. Now, can you show us on 151 -- the 152.51  
22 printout where that appears -- where that, where that purports  
23 to be duplicated?

24          A     It does not appear.

25          Q     Would you return to the -- I believe it's on the



1 first page, the entry mark number five on the 152.48? Do you  
2 have that, sir?

3 A Yes, I do.

4 Q Would you read the, the cap code associated with  
5 that entry?

6 A 0I07716.

7 Q All right, and would you now turn to the item marked  
8 number five -- the entry marked number five on 152.51 and  
9 would you read the cap code associated with that?

10 A 0007016.

11 Q That isn't the same cap code is it?

12 A Not according to this printout.

13 Q And can you show us on the printout for 152.51 where  
14 the duplicate cap code appears from the 152.48 number five?

15 A You mean what time? Is that what you're asking?

16 Q Well, your testimony was that every transmission  
17 during your monitoring on 152.48 was a duplicate of a  
18 transmission on 152.51. On number five --

19 MS. LADEN: Objection. I don't believe that was his  
20 testimony. I don't believe that was his testimony.

21 JUDGE CHACHKIN: Was that your testimony? Wasn't  
22 that your testimony?

23 MR. BLATT: Yes.

24 JUDGE CHACHKIN: Go ahead with your questioning, Mr.  
25 Hardman.

1 BY MR. HARDMAN:

2 Q And I invited your attention to the entry marked  
3 number five on 152.48 printout and asked you to find on the  
4 152.51 printout the entry that that purports to duplicate.

5 A If you'll allow me, I believe on number five we've  
6 marked the paper wrong. The -- we've marked the wrong five on  
7 the 152.510.

8 Q Do you have another entry that you think would be  
9 the proper one?

10 A There is one where that's got the exact same numeric  
11 message that's --

12 Q What, what is the cap code?

13 A 0007716.

14 Q I don't remember, is that the one from the number  
15 five?

16 A It's 0I07716.

17 Q So, it's not the same cap code. Isn't that right?

18 A According to this printout, it is not.

19 Q Now, after reviewing those printouts, is it still  
20 your testimony that the monitoring you observed on 152.480  
21 consisted solely of pages that were duplicates of pages  
22 previously transmitted on 152.51?

23 A Yes. I mean --

24 Q Is it still your testimony notwithstanding the, the,  
25 the printouts that you couldn't show me where those pages on

1 152.48 were duplicated -- duplicates of transmissions on  
2 152.51?

3 A It is the same numeric message and it is a decode  
4 error on the cap code in my professional opinion.

5 Q Well --

6 A No, the two printouts do not match.

7 Q I'm sorry?

8 A The two printouts do not match identically on that  
9 page.

10 Q Okay, and what I'm trying to determine is, is it  
11 still your testimony after having observed the printouts that  
12 only -- that the pages that you monitored on 152.48 MHz  
13 consisted solely of pages duplicated on 152.51 MHz?

14 A Yes, it is.

15 Q It is your testimony?

16 A Yes, it is.

17 Q And do you base this on anything other than your  
18 recollection?

19 A My recollection and the Hark verifier.

20 Q Well, but the only output from the Hark verifier is  
21 memorialized in the printout is it not? You don't, you don't  
22 remember all of what you observed on the Hark verifier do you?

23 A No.

24 Q So, you have a mental impression, isn't that true,  
25 that all the pages on 152.48 MHz duplicated traffic on 152.51?

1 Isn't that correct?

2 A Yes.

3 Q Mr. Blatt, are you familiar with a device on --  
4 that, that was at one time on the RAM's private carrier paging  
5 system which I will refer to as a two-minute time-out device  
6 and this -- what this device would do is put a maximum wait  
7 time of two minutes on pages held by RAM in, in storage before  
8 transmitting on 152.48 MHz?

9 A I was not involved in that.

10 Q You -- were you aware of that at the time?

11 A I have hearsay of that, yes.

12 Q Well, you, you --

13 A I mean, I've, I've heard talk of it.

14 Q You were, you were an employee of RAM at the time,  
15 were you not?

16 A Yes.

17 Q And you became aware of this device at the -- in the  
18 course of your duties for RAM, did you not?

19 A Yes.

20 MS. LADEN: Objection, Your Honor. There was no  
21 direct testimony on the use of this timer device.

22 JUDGE CHACHKIN: Overruled.

23 BY MR. HARDMAN:

24 Q Now, did -- in, in the course of your duties at RAM  
25 did you become aware that, that use of the device was

1 discontinued?

2 A Yes.

3 Q And when was that?

4 A I have no idea.

5 Q Can you relate it to the time you started monitoring

6 152.51? Was it before that time?

7 A It was long before that.

8 Q Long before?

9 A Yeah, the way I remember it.

10 Q And do you recall why the device was removed?

11 A No. I had nothing -- you know, I was not

12 maintaining their paging terminal at that time. I was a two-

13 way radio technician.

14 Q At any time in your duties did you take care of the

15 paging terminal?

16 A Yes.

17 Q And when was this?

18 A It was 18 months prior to me leaving, whenever I

19 became service manager.

20 Q Help me out. You left --

21 A August of '93.

22 Q So, you became service manager early in '92. Is

23 that right?

24 A March, March '92, I think.

25 Q Okay.

1           A     Maybe April.

2           Q     And you were responsible for the, for the operation  
3 of the paging terminal from March '92 forward?

4           A     Yes.

5           Q     Now, going back -- I have one other question along  
6 this line that I meant to ask. Is it your recollection that  
7 the -- that of the pages that were duplicated between 152.51  
8 and 152.48, did the page first appear on 152.51 in every case?

9           A     As far -- yes, as far as I can remember it did.

10          Q     That's your recollection --

11          A     Yes.

12          Q     -- that that -- it was always first on 152.51 and  
13 then some time between 30 seconds and four minutes later it  
14 appeared on 152.48?

15                JUDGE CHACHKIN: Is that your recollection?

16                MR. BLATT: Yes.

17                BY MR. HARDMAN:

18          Q     I gather that you were the one then based on your  
19 monitoring that concluded that -- that, that drew the  
20 conclusion that, that this was -- the cause of the duplicate  
21 transmission was the -- was a retransmission by Capitol. Is  
22 that right? If my question isn't clear I apologize.

23          A     Could, could you repeat the question?

24          Q     Yeah. What I'm trying to elicit is whether you were  
25 the person at RAM because of your investigation and monitoring

1 that drew the conclusion that the, the cause of the duplicate  
2 transmission was a deliberate retransmission by Capitol. Is  
3 that right?

4 A I took my findings from the tests and took them back  
5 to the VPs of the company and we went over the printouts and,  
6 and we came to that conclusion.

7 Q So, you participated in the, in the -- in drawing  
8 the conclusion?

9 A Yes.

10 Q Who else participated in drawing that conclusion?

11 A Ray Bobbitt. There were several technicians that,  
12 that helped participate. I mean, I can name them all if you  
13 want.

14 Q Well, let's start down the list and see how many  
15 there are.

16 A Allen Jarvis, Wes Baker, Bob Moyer looked at the  
17 printouts. Dale Capehart who's been involved.

18 Q Now, you wouldn't characterize Mr. Moyer or  
19 Mr. Capehart as technicians would you?

20 A No, I would not.

21 Q So, this was a corporate powwow was it not to see  
22 what could be made of these results of your monitoring? Isn't  
23 that right?

24 A No, it was not, not necessarily a corporate pow-wow.  
25 They were involved, but there was very technical people

1 involved also.

2 Q Also, okay. Including yourself?

3 A Including myself.

4 Q Now, in the course of this, you know, the decision-  
5 making process of the, the conclusion process here, did you  
6 offer a conclusion that the, the -- a deliberate retrans-  
7 mission by Capitol was the cause of the -- of phenomenon you  
8 observed?

9 A Yes, I did.

10 Q And that, that was your opinion?

11 A Yes, it was.

12 Q And you had drawn that conclusion before you went  
13 into this set of meetings. Isn't that right?

14 A Yes.

15 Q So, it's fair to say is it not that, that the other  
16 members of the decision team accepted your analysis. Isn't  
17 that true? They agreed with you?

18 A Yes, they did.

19 Q Did anyone in this decision-making process offer a  
20 theory that you were -- your explanation was wrong?

21 A No.

22 Q So, would it be fair to say then that you studied  
23 the results of your monitoring, drew the conclusion as we  
24 discussed, went into the meeting with your colleagues and co-  
25 workers, presented your conclusion and they agreed without



1 dissent. Isn't that right?

2 A Yes.

3 Q Now, did it ever occur to you in your own mind to

4 explain how someone could cause this phenomenon?

5 A Yes.

6 Q And did you come up with a theory as to why they did

7 --

8 A As to --

9 Q Or how -- as, as to how they could do it?

10 A Yes.

11 Q And, and what was that theory?

12 A You could chain a pager from one frequency to

13 another frequency if it's being controlled by the same

14 terminal.

15 Q You, you can do that? Can RAM's terminal do that?

16 A Yes.

17 Q Do you know is this universally true?

18 A I don't know about universally, no.

19 Q But you do know that RAM's, RAM's terminal is

20 capable of doing that, isn't it?

21 A Yes.

22 Q Do you know of Capitol's capable -- Capitol's

23 terminal is capable of doing it?

24 A Yes.

25 Q And what is the basis for that opinion?